```
1
    THE WAGNER FIRM
    AVI WAGNER (SBN 226688)
 2
    1925 Century Park East, Suite 2100
 3
    Los Angeles, California 90067
    Telephone: (310) 491-7949
 4
    Facsimile: (310) 694-3967
 5
    Email: avi@thewagnerfirm.com
 6
    Liaison Counsel for Lead Plaintiff Dr. Pradeep Khurana and the Class
 7
 8
    BERNSTEIN LIEBHARD LLP
    Jeffrey M. Haber admitted pro hac vice
 9
    Joseph R. Seidman, Jr. admitted pro hac vice
10
    10 East 40th Street New York, NY 10016
    Tel: (212) 779-1414
11
    Fax: (212) 779-3218
12
13
    Lead Counsel for Lead Plaintiff Dr. Pradeep Khurana and the Class
14
                        UNITED STATES DISTRICT COURT
15
                       CENTRAL DISTRICT OF CALIFORNIA
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    IN RE BIOLASE, INC.
                                       ) Case No. SACV 8:13-cv-01300-JLS-
    SECURITIES LITIGATION
                                         (FFMx)
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                                        LEAD PLAINTIFF'S NOTICE OF
                                         MOTION AND MOTION FOR
21
                                        PRELIMINARY APPROVAL OF
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                                         SETTLEMENT
23
                                                    May 22, 2015
                                       ) Date:
24
                                                    2:30 p.m.
                                         Time:
25
                                         Courtroom: 10A
                                         Judge: The Hon. Josephine L. Staton
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TO THE CLERK OF THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on May 22, 2015, at 2:30 p.m., the undersigned counsel for Lead Plaintiff shall move before the Honorable Josephine L. Staton, Judge of the United States District Court for the Central District of California, located at 411 West Fourth Street, Courtroom 10A, Santa Ana, CA 92701, for entry of an Order preliminarily approving the Proposed Settlement. The Defendants do not oppose the relief requested by this motion.

This motion is based on this Notice of Motion, the supporting Memorandum of Points and Authorities, the [Proposed] Order lodged concurrently herewith, and all pleadings and papers filed in this action, the arguments of counsel, and any other matter that the Court may consider at the hearing of this motion.

Dated: April 13, 2015

THE WAGNER FIRM

/s/ Avi Wagner

AVI WAGNER (SBN 226688) 1925 Century Park East, Suite 2100 Los Angeles, California 90067 Telephone: (310) 491-7949 Facsimile: (310) 694-3967

Facsimile: (310) 694-3967 Email: avi@thewagnerfirm.com

Liaison Counsel for Lead Plaintiff Dr. Pradeep Khurana and the Class

BERNSTEIN LIEBHARD LLP

Jeffrey M. Haber Joseph R. Seidman, Jr. 10 East 40th Street New York, NY 10016 Tel: (212) 779-1414

Fax: (212) 779-3218

Lead Counsel for Lead Plaintiff Dr. Pradeep Khurana and the Class

- 1 -

PROOF OF SERVICE VIA ELECTRONIC POSTING PURSUANT TO CENTRAL DISTRICT OF CALIFORNIA LOCAL RULES AND ECF GENERAL ORDER NO. 10-07

I, the undersigned, say:

I am a citizen of the United States and am employed in the office of a member of the Bar of this Court. I am over the age of 18 and not a party to the within action. My business address is 1925 Century Park East, Suite 2100, Los Angeles, California 90067.

On April 13, 2015, I caused to be served the following document:

LEAD PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT

By posting the document to the ECF Website of the United States District Court for the Central District of California, for receipt electronically by the parties as listed on the attached Service List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 13, 2015, at Los Angeles, California.

<u>s/Avi Wagner</u>
Avi Wagner

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Mailing Information for a Case 8:13-cv-01300-JLS-FFM IN RE BIOLASE, INC. SECURITIES LITIGATION

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

tbiffar@jonesday.com, ecfirvine notifications@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, kamarkwick@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, kamarkwick@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, kamarkwick@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, kamarkwick@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, nmichau@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, nmichau@jonesday.com, nmichau@jonesday.com, akreutner@jonesday.com, nmichau@jonesday.com, akreutner@jonesday.com, akreutner@jonesd

• Gregory E Del Gaizo

Gdel Gaizo@robbins arroyo.com, notice@robbins arroyo.com

· Alexandra Nicole Fries

afries@jonesday.com,dhansen@jonesday.com,jgutierrez@jonesday.com

• Richard Lawrence Gallagher

richard.gallagher@ropesgray.com,Matthew.Tolve@ropesgray.com,David.Partida@ropesgray.com,april.kee@ropesgray.com

• Jeffrey M Haber

haber@bernlieb.com

• Eric N Landau

elandau@jonesday.com,afries@jonesday.com,ecfirvinenotifications@jonesday.com,dhansen@jonesday.com,nmichau@jonesday.com,kamarkwick@jonesday.com,jgutierrez@jonesday.com

• Kevin Hugh Logan

klogan@jonesday.com

· David T. Long

nporritt@zlk.com

• Laurence M Rosen

lrosen@rosenlegal.com

• Joseph R Seidman, Jr

seidman@bernlieb.com

• Jordanna G Thigpen

jthigpen@jjllplaw.com

• Avi N Wagner

avi@thewagnerfirm.com,anwagneresq@hotmail.com

Manual Notice List

The following is the list of attorneys who are not on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Bernstein Liebhard LLP 10 East 40th Street 22nd Floor

22nd Floor New York, NY 10016

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